

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Docket No. ARC920030024US1

Guy Maring LOHMAN. : Group Art Unit: 2168

Serial No.: 10/698,828 : Examiner: Hung Q. Pham

Filed: October 31, 2003 :

Title: *SYSTEM, METHOD, AND COMPUTER PROGRAM PRODUCT FOR PROGRESSIVE QUERY PROCESSING*

CERTIFICATE OF TRANSMISSION

In accordance with 37 CFR 1.8, I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted or submitted under electronics filing system to the U.S. Patent and Trademark Office on the date: December 21, 2007. By: Jon A. Gibbons

(Applicant, Assignee, or Representative)

**PETITION UNDER 37 C.F.R. §1.181 (a) TO WITHDRAW
THE HOLDING OF ABANDONMENT**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.181 (a), the Applicants respectfully petition the Commissioner for withdrawal of the holding of Abandonment. The Notice of Abandonment, dated December 13, 2007 (see Exhibit A), states that the reason for Abandonment is “*Applicant’s Failure to Timely Pay the Required Issue Fee and Publication Fee...*” because “*The issue fee and publication fee, if applicable, has not been received.*”

Attached please find the Issue Fee Transmittal submitted and stamped by the U.S. Patent and Trademark Office as received on November 8, 2007 (Exhibit B). Note that the Issue

Fee Transmittal was timely submitted and stamped as received on November 8, 2007 seven (7) days prior to the November 15, 2007 due date.

Since the Issue Fee Transmittal was timely submitted, Applicants respectfully request that the Commissioner correctly charge the issue fee in the amount of \$1400.00 and the publication fee in the amount of \$300.00 to Deposit Account No. **09-0441**, and allow the present Patent Application No.: 10/698,828 to issue as a U.S. Patent.

Applicants believe that this petition is a non-fee petition. However, if it should be determined that a fee is required, please charge such fee to Deposit Account No. **09-0441**.

In the alternative, in the unlikely event that this petition is not granted, the Applicants respectfully request that this petition be considered a petition to revive an unintentionally abandoned patent application. Accordingly, please apply the payment of the required petition fee issue fee and publication fee from the Deposit Account **09-0441** under 35 USC §41(a)(7) and MPEP 711.03(c) as an unintentionally abandoned patent application due to Applicants timely submission of the Issue Fee Transmittal on November 8, 2007 seven days prior to the November 15, 2007 due date.

The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account **09-0441**.

Respectfully submitted,

Date: December 21, 2007

By: /Jon A. Gibbons/

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